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Mattel, Inc.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MATTEL, INC.,

Plaintiff

v.

2012SHININGROOM2012, ALEXSTORE888,
ALIYA_SMILE, BIGMOUTH333,
CCS_ONLINE999, CONNIE_MONICA,
EBBPOP, EJEWELRYCODE,
FANHUASIJIN02, FASHIONJEWELRY20136,
FENGHE2012, FLYFLOWER88, FUTALL,
GLORYROAD2015, GO-GIFT1225,
GYL09047, HANJINGYUHUAONE, HERPOP,
HG-TECH-LTD, HMZSLUCK, ILANTE, IN-
STYLE1820, JIALU-88, KEEPUPPOP,
KTMAIL, KZYU_17, LAQ01018,
LUCKY992016, MUSENWAIMAO,
NEWANG, OVEPOP2009, POPULAR888,
PRCBEY, SANTAFE2016, SUMMER*2010*,
URCHOICE-LTD, XIAOTWAN_CBQZZ,
XYWL722, YUMISELL8, YUNWAWA527
and ZHANYTINO,

Defendants

Case No.: 18-cv-11648 (PKC)

**PLAINTIFF'S PROPOSED
VERDICT FORM**

We the jury, being first duly empaneled and sworn in the above entitled cause, do find as follows:

Section I: Liability

(1) On Mattel's claim for federal trademark infringement of its Barbie Marks, did Mattel establish by a preponderance of the evidence that Defendants infringed one or more of its Barbie Marks?

Defendant ccs_online999:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant ebbpop:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant go-gift1225:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant Herpop:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant Ilante:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant Keepupop:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant lucky992016:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant ovepop2009:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant popular888:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant prcbey:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

(2) On Mattel's claim for trademark counterfeiting of its Barbie Marks, did Mattel establish by a preponderance of the evidence that Defendants counterfeited one or more of its Barbie Marks?

Defendant ccs_online999:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant ebbpop:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant go-gift1225:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Defendant Herpop:	_____ Yes	_____ No
Defendant Ilante:	_____ Yes	_____ No
Defendant Keepupop:	_____ Yes	_____ No
Defendant lucky992016:	_____ Yes	_____ No
Defendant ovepop2009:	_____ Yes	_____ No
Defendant popular888:	_____ Yes	_____ No
Defendant prcbey:	_____ Yes	_____ No

If you selected “NO” for every Defendant on Question (2), go directly to Question (4). If you selected “YES” for any of the Defendants on Question (2), you must also answer Question (3) below:

(3) How many of Mattel’s Barbie Marks did Defendant(s) counterfeit?

Defendant ccs_online999:	_____
Defendant ebbpop:	_____
Defendant go-gift1225:	_____
Defendant Herpop:	_____
Defendant Ilante:	_____
Defendant Keepupop:	_____
Defendant lucky992016:	_____
Defendant ovepop2009:	_____
Defendant popular888:	_____
Defendant prcbey:	_____

If you selected “YES” on Question (2), you must write a number between 1 and 2 on the above line.

(4) On Mattel's claim for unfair competition and false designation, has Mattel established by a preponderance of the evidence that Defendant(s) made false representations or unfairly competed with Mattel?

Defendant ccs_online999:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant ebbpop:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant go-gift1225:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant Herpop:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant Ilante:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant Keepupop:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant lucky992016:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant ovepop2009:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant popular888:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant prcbey:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

(5) On Mattel's claim for federal copyright infringement of its Barbie Works, has Mattel established by a preponderance of the evidence that Defendant(s) infringed one or more of the Barbie Works?

Defendant ccs_online999:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant ebbpop:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant go-gift1225:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant Herpop:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant Ilante:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant Keepupop:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Defendant lucky992016:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Defendant ovepop2009: _____ Yes _____ No

Defendant popular888: _____ Yes _____ No

Defendant prcbey: _____ Yes _____ No

If you selected "YES" for any of the Defendants on Question (5), you must also answer Question (6) below:

(6) How many copyrights did Defendant(s) infringe?

Defendant ccs_online999: _____

Defendant ebbpop: _____

Defendant go-gift1225: _____

Defendant Herpop: _____

Defendant Ilante: _____

Defendant Keepupop: _____

Defendant lucky992016: _____

Defendant ovepop2009: _____

Defendant popular888: _____

Defendant prcbey: _____

If you selected Yes on Question (5), you must write a number between 1 and 5 on this line.

(7) Did you find that Defendants acted willfully or in bad faith with regard to any of the claims in Questions 1, 2, 4 or 5 above for which you answered "YES"?

Defendant ccs_online999: _____ Yes _____ No

Defendant ebbpop: _____ Yes _____ No

Defendant go-gift1225:	_____ Yes	_____ No
Defendant Herpop:	_____ Yes	_____ No
Defendant Ilante:	_____ Yes	_____ No
Defendant Keepupop:	_____ Yes	_____ No
Defendant lucky992016:	_____ Yes	_____ No
Defendant ovepop2009:	_____ Yes	_____ No
Defendant popular888:	_____ Yes	_____ No
Defendant prcbey:	_____ Yes	_____ No

If you selected “NO” for each and every Defendant for Questions (1) through (7) above, your deliberations are complete. If you selected “YES” for any of the Defendants in Questions (1) through (7) above, please proceed to Section II.

Section II: Damages

(1) State the amount of actual damages that should be awarded to Mattel by each Defendant, if any.

Defendant ccs_online999:	\$_____
Defendant ebbpop:	\$_____
Defendant go-gift1225:	\$_____
Defendant Herpop:	\$_____
Defendant Ilante:	\$_____
Defendant Keepupop:	\$_____
Defendant lucky992016:	\$_____
Defendant ovepop2009:	\$_____
Defendant popular888:	\$_____

Defendant prcbey: \$_____

(2) If you answered “YES” to Questions 1 or 5 above, state the amount of Defendant(s)’ profits that should be awarded to Mattel, if any.

Defendant ccs_online999: \$_____

Defendant ebbpop: \$_____

Defendant go-gift1225: \$_____

Defendant Herpop: \$_____

Defendant Ilante: \$_____

Defendant Keepupop: \$_____

Defendant lucky992016: \$_____

Defendant ovepop2009: \$_____

Defendant popular888: \$_____

Defendant prcbey: \$_____

(3) If you answered “YES” to Questions 1 or 5 above, state the amount of Defendant(s)’ damages that should be awarded to Mattel, if any.

Defendant ccs_online999: \$_____

Defendant ebbpop: \$_____

Defendant go-gift1225: \$_____

Defendant Herpop: \$_____

Defendant Ilante: \$_____

Defendant Keepupop: \$_____

Defendant lucky992016: \$_____

Defendant ovepop2009: \$ _____

Defendant popular888: \$ _____

Defendant prcbey: \$ _____

(4) Trademark/Unfair Competition

Should the amount of damages or profits identified above (whichever is greater), be trebled for any of the Defendants?

Defendant ccs_online999: _____ Yes _____ No

Defendant ebbpop: _____ Yes _____ No

Defendant go-gift1225: _____ Yes _____ No

Defendant Herpop: _____ Yes _____ No

Defendant Ilante: _____ Yes _____ No

Defendant Keepupop: _____ Yes _____ No

Defendant lucky992016: _____ Yes _____ No

Defendant ovepop2009: _____ Yes _____ No

Defendant popular888: _____ Yes _____ No

Defendant prcbey: _____ Yes _____ No

(5) Counterfeit Statutory Damages

If Not Willful	<i>You must award damages between \$1,000.00 (one thousand dollars) and \$200,000.00 (two hundred thousand dollars) per counterfeit mark per type of goods or services sold, offered for sale or distributed</i>
If Willful	<i>You must award damages of not more than \$2,000,000.00 (two million dollars) per counterfeit mark per type of goods or services sold, offered for sale or distributed</i>

What amount of statutory damages *per counterfeit mark per type of good/services sold, offered for sale or distributed* do you award to Plaintiff?

Defendant ccs_online999: Amount: \$ _____ **per** counterfeit mark per type of goods/services sold/offered for sale/distributed

Defendant ebbpop: Amount: \$ _____ **per** counterfeit mark per type of goods/services sold/offered for sale/distributed

Defendant go-gift1225: Amount: \$ _____ **per** counterfeit mark per type of goods/services sold/offered for sale/distributed

Defendant Herpop: Amount: \$ _____ **per** counterfeit mark per type of goods/services sold/offered for sale/distributed

Defendant Ilante: Amount: \$ _____ **per** counterfeit mark per type of goods/services sold/offered for sale/distributed

Defendant Keepupop: Amount: \$ _____ **per** counterfeit mark per type of goods/services sold/offered for sale/distributed

Defendant lucky992016: Amount: \$ _____ **per** counterfeit mark per type of goods/services sold/offered for sale/distributed

Defendant ovepop2009: Amount: \$ _____ **per** counterfeit mark per type of goods/services sold/offered for sale/distributed

Defendant popular888: Amount: \$ _____ **per** counterfeit mark per type of goods/services sold/offered for sale/distributed

Defendant prcbey: Amount: \$ _____ **per** counterfeit mark per type of goods/services sold/offered for sale/distributed

(6) Copyright Statutory Damages

If Neither Willful Nor Innocent	<i>You must award damages between \$750.00 (seven hundred fifty dollars) and \$30,000.00 (thirty thousand dollars) per work infringed</i>
If Willful	<i>You must award damages between \$750.00 (seven hundred fifty dollars) and \$150,000.00 (one hundred and fifty thousand dollars) per work infringed</i>
If Innocent	<i>You must award damages between \$200.00 (two hundred dollars) and \$30,000.00 (thirty thousand dollars) per work infringed</i>

What amount of statutory damages *per copyright infringed* do you award to Plaintiff?

Defendant ccs_online999: Amount: \$ _____ **per** work

Defendant ebbpop: Amount: \$ _____ **per** work

Defendant go-gift1225: Amount: \$ _____ **per** work

Defendant Herpop: Amount: \$ _____ **per** work

Defendant Ilante: Amount: \$ _____ **per** work

Defendant Keepupop: Amount: \$ _____ **per** work

Defendant lucky992016: Amount: \$ _____ **per** work

Defendant ovepop2009: Amount: \$ _____ **per** work

Defendant popular888: Amount: \$ _____ **per** work

Defendant prcbey: Amount: \$ _____ **per** work

Dated: March 31, 2020

Respectfully submitted,

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